

ASG/mos/mXB/USD

**PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:**

National Stage of International Application No. PCT/JP01/03803 under 35 U.S.C. 371.

**For:** PROCESS FOR PRODUCING CARBOSTYRIL DERIVATIVES

**Serial No.:** 09/869,264

**Inventor(s):** Shinji AKI et al.

**BOX PCT**

1. Transmittal Letter concerning a filing under 35 U.S.C. 371. (Duplicate)
2. Copy of Notification of Missing Requirements.
3. Declaration of the inventors.
4. Check for \$130.00

Date: August 5, 2002

Docket No.: 01197.0226

CUSTOMER NUMBER: 22,852

EFC/FPD/peg Mail Drop 360



(Due Date: 8/4/02)

DICTO-B5-816/02

1040 8/p

ASA/mDS/mXB/USD

**PLEASE STAMP TO ACKNOWLEDGE RECEIPT OF THE FOLLOWING:**

In Re Application of: Shinji AKI et al.

Serial No.: 09/869,264

Filed: June 27, 2001

For: PROCESS FOR PRODUCING CARBOSTYRIL DERIVATIVES

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**BOX ASSIGNMENT**

1. Recordation Form Cover Sheet
2. Assignment to Otsuka Pharmaceutical Co., Ltd.
3. Check for \$ 40.00

Dated August 5, 2002

Case Ref.: 01197.0226

EFC/peg - Mail Drop 360



DLTD-BG-8/6/02

V DAE

VENDOR I.D.#/GL#	INVOICE DATE	INVOICE #	INVOICE AMOUNT
29900.1	08/05/02	44952	40.00
PEG 01197.0226			40.00

VENDOR I.D.#/GL#	INVOICE DATE	INVOICE #	INVOICE AMOUNT
29900.1	08/05/02	44951	130.00
PEG 01197.0226			130.00

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

01197.0026

U.S. APPLICATION NO.  
(If known, see 37CFR1.5)

09/869,264

INTERNATIONAL APPLICATION NO.

PCT/JP01/03803

INTERNATIONAL FILING DATE

May 2, 2001

PRIORITY DATE CLAIMED

TITLE OF INVENTION

**PROCESS FOR PRODUCING CARBOSTYRIL DERIVATIVES**

APPLICANT(S) FOR DO/EO/US


**Shinji AKI et al.**

Applicant(s) herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed with the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154 (d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)).
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11. ☐ Information Disclosure Statement under 37 CFR 1.97 and 1.98
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A Substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154 (d)(4).
19. ☐ A second copy of the English language translation of the international application 35 U.S.C. 154 (d)(4).
20. ☒ Other items or information:
  - a. ☐ Copy of cover page of International Publication No. WO
  - b. ☒ Copy of Notification of Missing Requirements.
  - c. ☐

U.S. APPLICATION NO. (If known, see 37CFR 1.5) 09/869,264		INTERNATIONAL APPLICATION NO. PCT/JP01/03803		ATTORNEY'S DOCKET NUMBER 01197.0226	
21. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b>  Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO ..... <b>\$1040.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO ..... <b>\$890.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... <b>\$740.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... <b>\$710.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33 (1)-(4) ..... <b>\$100.00</b>  <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b> \$</div>				CALCULATIONS PTO USE ONLY	
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <div style="float: right;"><input checked="" type="checkbox"/> 20    <input type="checkbox"/> 30</div>				\$130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total Claims	- 20 =		x \$18.00	\$	
Independent Claims	- 3 =		x \$84.00	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	\$	
<b>TOTAL OF THE ABOVE CALCULATIONS =</b>				\$130.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
<b>SUBTOTAL =</b>				\$130.00	
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest priority date (37 CFR 1.492(f)). <div style="float: right;"><input type="checkbox"/> 20    <input type="checkbox"/> 30</div>				\$	
<b>TOTAL NATIONAL FEE =</b>				130.00	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property. <div style="text-align: right;">+</div>				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$130.00	
				Amount to be refunded:	\$
				charged:	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>130.00</u> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-0916</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card</b> <b>information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.					
<b>SEND ALL CORRESPONDENCE TO:</b> Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P. 1300 I Street, N.W. Washington, D.C. 20005-3315					
				 SIGNATURE	
				Ernest F. Chapman, Reg. No. 25,961 NAME/REGISTRATION NO.	
DATED: August 5, 2002					



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT  
 United States Patent and Trademark Office  
 Washington, D.C. 20231  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/869,264	Shinji Aki	01197.0226

INTERNATIONAL APPLICATION NO.
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PCT/JP01/03803

LA. FILING DATE	PRIORITY DATE
-----------------	---------------

05/02/2001

Finnegan Henderson Farabow Garrett & Dunner  
 1300 I Street N W  
 Washington, DC 20005-3315

CONFIRMATION NO. 2444

371 FORMALITIES LETTER



\*OC000000008219644\*

Date Mailed: 06/04/2002

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Preliminary Amendments

**RECEIVED**  
 JUN 10 2002  
 FINNEGAN, HENDERSON, FARABOW,  
 GARRETT AND DUNNER, LLP

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

LAMONT M HUNTER

*nk*  
 JUN 13 2002

Telephone: (703) 305-3686

## PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/869,264	PCT/JP01/03803	01197.0226

FORM PCT/DO/EO/905 (371 Formalities Notice)

Docketed 6-10-02 Attorney ASSB/MOS/hx8  
Case 1197.0226  
Due Date 8-4-02 ✓  
Action DECL/PMA  
By B

6-10-02